

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GREGORY HANDLOSER, et al.,  
Plaintiffs,  
v.  
HCL AMERICA, INC., et al.,  
Defendants.

Case No. [19-cv-01242-LHK](#) (VKD)

**ORDER SETTING CONFERENCE  
CALL TO DISCUSS SCHEDULE FOR  
HCL'S PRODUCTION OF ESI**

The parties' April 20, 2020 proposals for a schedule for HCL's production of ESI strongly suggest that very little effort has been made to actually confer regarding a schedule for completion of the production of relevant and responsive ESI. The Court will hold a telephone conference call on **Wednesday, April 22, 2020 at 2:30 p.m.** to discuss this matter with the parties. Please use the following information to join the call:

**Dial in: (877) 848-7030**  
**Passcode: 6982082**

Lead counsel for each of the parties must participate in the call. HCL must also have the following participants on the call: (a) the attorney most knowledgeable about HCL's document collection, review, and production (if not lead counsel), and (b) a representative of HCL's e-discovery vendor who can answer specific questions about the collection, processing, and production of HCL's ESI.

The parties should be prepared to discuss, among other things:

1. The ESI custodians identified to date.
2. For each ESI custodian, the volume of material identified for review after the

1 application of search terms.


- 2 3. The rate of review (e.g., per document or per page) and number of reviewers.
- 3 4. Prioritization of documents/custodians required for class certification.
- 4 5. Any feasibility analysis conducted by HCL or its vendor concerning the application
- 5 of particular search terms other search parameters, such as excessive false
- 6 positives, and if so whether cost-shifting or some other adjustment is warranted.
- 7 6. Whether the Court should require the use of technology assisted review to expedite
- 8 HCL's review and production of ESI. *See, e.g., Rio Tinto PLC v. Vale S.A.*, 306
- 9 F.R.D. 125 (S.D.N.Y. 2015); [https://www.edrm.net/2019/02/edrm-releases-tar-](https://www.edrm.net/2019/02/edrm-releases-tar-guidelines/)
- 10 [guidelines/](https://www.edrm.net/2019/02/edrm-releases-tar-guidelines/).

11 The conference will not be recorded or transcribed by a court reporter.

12 **IT IS SO ORDERED.**

13 Dated: April 21, 2020

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16 VIRGINIA K. DEMARCHI

17 United States Magistrate Judge

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